



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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December 21, 1994

Mr. Thomas L. Tidwell  
District Ranger  
U.S.D.A. Forest Service  
44 West 400 North  
Spanish Fork, Utah 84660

Re: Response to Information Request, Gardner Canyon Gypsum Mine, S/023/015, Juab County, Utah

Dear Mr. Tidwell:

Thank you for your December 7, 1994, formal request for information and clarification, regarding our permitting position for the Gardner Canyon Gypsum Mine, located in Juab County. I will attempt to address each of the questions raised in your letter in the order that they were presented.

1. Supporting information that you used to determine the total disturbed area, including a copy of the map that Mr. Steele presented you showing that information.

*I have enclosed a xerox copy of the requested map along with the digitized printout of the disturbed area as measured from the map.*

2. It is our understanding, from a copy of a letter dated August 22, 1991 to Mr. Steele, that he stated he only planned to mine a few hundred tons of gypsum a year. This information is in conflict with the Plan of Operations he submitted to this office which indicated that he would mine 100,000 tons of gypsum a year. Please clarify your understanding of his proposed operation.

*The original Plan of Operations filed for this project did propose a 100,000 tons/year mine production figure. However, sometime later Mr. Steele informed the Division that it was his intention to only mine a few hundred tons of gypsum per year from the Gardner Canyon mine (see August 22, 1991 DOGM Small Mining Operation acceptance letter to Robert Steele). The Division's small mining operation rules do not require disclosure of projected annual production as part of the application/permitting process.*

3. What is the probability of Mr. Steele needing to secure a large mine permit shortly after he begins a mining operation on this site? Since the present disturbance is 4.96 acres, please explain why he would not need a large mine permit to begin operations. It is difficult to understand how he could begin operations without creating another 0.04 acres of disturbance.



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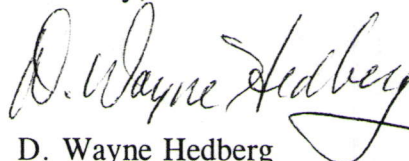
*The Division's Small Mining Operation permit application process and rules, limit the amount of detailed baseline, mine development, and reclamation plan information that we can request/require of the applicant. Consequently, it is not possible for us to make an accurate estimate/prediction to answer your question. Admittedly, as presently proposed, Mr. Steele's mining operation is very close to the five (5) acre disturbance threshold for a small mine classification. Factors such as how the operator ultimately sets up his crushing/processing equipment, how the deposit is mined (surface and/or underground), the actual production rate, sales contracts and contemporaneous reclamation activities, will determine how soon a large mining permit may be required.*

4. If you do not require a large mine permit before Mr. Steele could start a mining operation, what procedures would you apply to determine the need, and to secure when needed, a large mine permit?

*Rule R647-3-113 requires an operator to file a permit application for a Large Mining Operation and receive Division approval before enlarging mining operations beyond five (5) acres of surface disturbance. Operators are further notified/advised of this requirement in writing, at the time the Division accepts their original Small Mining Notice. Normally, we are notified that a LMO is necessary by the operator through the filing of a LMO Notice, by the receipt of annual report information, and/or through onsite inspections performed by Division staff and/or other agencies. If a Small Mining Operation expands beyond five (5) acres of surface disturbance without first acquiring a Large Mining permit, then the operator may be subject to appropriate enforcement action as provided for by State mining statute and rule.*

I hope this provides the necessary information and clarification you need. Please don't hesitate to contact us if we can be of further assistance in this matter.

Sincerely,



D. Wayne Hedberg  
Permit Supervisor  
Minerals Regulatory Program

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Enclosure

cc: Tom Mitchell, Assistant Attorney General  
Robert Steele, Operator  
Lowell Braxton, DOGM  
Minerals staff (route)

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